

CHAPTER NO. 1035

HOUSE BILL NO. 2981

By Representative Ritchie

Substituted for: Senate Bill No. 2982

By Senators Gilbert, Atchley, Burks, Carter, Clabough, Cohen, Cooper, Crowe, Crutchfield, Davis, Dixon, Elsea, Ford, Fowler, Graves, Harper, Haun, Haynes, Henry, Herron, Jordan, Kurita, Kyle, Leatherwood, McNally, Miller, Person, Ramsey, Rochelle, Springer, Williams, Womack and Mr. Speaker Wilder

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 3 relative to criminal offenses involving stalking or harassment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-308, is amended by deleting subsection (b) and substituting instead the following:

(b)

(1) A person convicted of a criminal offense commits an offense if, while incarcerated, on pre-trial diversion, probation, community correction or parole, such person intentionally communicates in person with the victim of such person's crime if the communication is:

(A) Anonymous or threatening or made in an offensively repetitious manner or at hours known to be inconvenient to the victim; and

(B) Made for no legitimate purpose; and

(C) Made knowing that it will alarm or annoy the victim.

(2) If the victim of such person's offense died as the result of the offense, the provisions of this subsection shall apply to the deceased victim's next-of-kin.

(c) A violation of subsection (a) of this section is a Class A misdemeanor. A violation of subsection (b) of this section is a Class E felony.

SECTION 2. Tennessee Code Annotated, Section 39-17-308(a)(2), is amended by deleting the words "an inconvenient hour" and by substituting instead the words "at an hour or hours known to be inconvenient to the victim".

SECTION 3. This act shall take effect July 1, 1998, the public welfare requiring it.

PASSED: April 29, 1998


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of May 1998


DON SNOGRASS, GOVERNOR